IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

WP(C).No. 16785 of 2007(S)

OA.242/2007 of CENTRAL ADMINISTRATIVE TRIBUNAL,ERNAKULAM BENCH
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PETITIONER:

M.JAHIR HUZANE, AGED 44 YEARS,
S/O LATE M.MOHAMMED SALI, ASST.SURVEYOR OF
WORKS (CIVIL), CIVIL CONSTRUCTION WING,
ALL INDIA RADIO, KAKKANAD P.O., KOCHI-37.

BY ADV. SRI.V.B.UNNIRAJ
SRI.V.ARUN

RESPONDENTS:
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1. UNION OF INDIA, REPRESENTED BY ITS
SECRETARY, MINISTRY OF INFORMATION & BROAD CASTING
NEW DELHI.

2. PRASAR BHARATHI (BROAD CASTING
CORPORATION OF INDIA) REPRESENTED BY ITS
DIRECTOR GENERAL, ALL INDIA RADIO, PARLIAMENT
STREET, NEW DELHI 110 001.

3. THE EXECUTIVE ENGINEER (CIVIL),
OFFICE OF THE EXECUTIVE ENGINEER (CIVIL),
ALL INDIA RADIO, KAKKANAD P.O. KOCHI 37.

4. THE CHIEF ENGINEER-1,
CIVIL CONSTRUCTION WING, ALL INDIA RADIO,
6TH FLOOR, CGO COMPLEX, LODHI ROAD,
NEW DELHI-3.

5. MAHESH KUMAR, ASSISTANT ENGINEER (CIVIL)
OFFICE OF THE EXECUTIVE ENGINEER (CIVIL),
CIVIL CONSTRUCTION WING, ALL INDIA RADIO,
CHENNAI 600 015.

6. V.SREENIVASAN,
ASSISTANT ENGINEER (CIVIL),
OFFICE OF THE EXECUTIVE ENGINEE (CIVIL),
CIVIL CONSTRUCTION WING, ALL INDIA RADIO,
CHENNAI 600 015.

7. S. SUDARSHANA KURUP, ASSISTANT ENGINEER (CIVIL),
OFFICE OF THE ASSISTANT ENGINEER (CIVIL), CIVIL
CONSTRUCTION WING, ALL INDIA RADIO, VAZHUTHACAUD,
THIRUVANANTHAPURAM.

8. C.V. SONACHALAM, ASSISTANT ENGINEER (CIVIL), CIVIL
CONSTRUCTION WING, ALL INDIA RADIO, DOORDARSHAN
KENDRA, KUDAPPANA KUNNU, THIRUVANANTHAPURAM 43.

9. V.V.S.N.V.PRASAD, ASSISTANT SURVEYOR OF WORKS (CIVIL)
OFFICE OF THE SUPERINTENDING ENGINEER (CIVIL), CIVIL
CONSTRUCTION WING, ALL INDIA RADIO, CHELPAUK,
CHENNAI 600 005.

10. V.S. RAMESH, ASSISTANT SURVEYOR OF WORKS (CIVIL),
OFFICE OF THE EXECUTIVE ENGINEER (CIVIL), CIVIL
CONSTRUCTION WING, ALL INDIA RADIO, BANGALORE.

BY ADV. SRI.P.PARAMESWARAN NAIR, CGC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXTS;

EXT.P1 TRUE COPY OF THE COMMON JUDGMENT IN OA NOS.92 & 93/2007

EXT.P2 TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE 4TH RESPONDENT THROUGH PROPER CHANNEL.

EXT.P3 TRUE COPY OF THE OPTION EXERCISED BY THE PETITIONER DATED 16.3.2007.

EXT.P4 TRUE COPY OF THE ORDER BEARING NO.P-33022/2/2007-CW.1/667 DATED 29.3.2007.

EXT.P5 TRUE COPY OF THE ORDER BEARING NO.EEC/CHN/1(10)/2006/S67 DATED 9.4.2007 AT 03.45 P.M. ISSUED BY 3RD RESPONDENT.

EXT.P6 TRUE COPY OF THE INTERIM ORDER DATED 12.4.2007.

EXT.P7 TRUE COPY OF THE REPLY STATEMENT FILED BY THE RESPONDENT.

EXT.P8 TRUE COPY OF THE ORDER PASSED BY TRIBUNAL DISMISSING O.A.

EXT.P9 TRUE COPY OF THE ORDER DATED 9.5.2007 PASSED BY THE RESPONDENTS

EXT.P10 TRUE COPY OF THE ORDER DATED 11.5.2007 SERVED TO THE PETITIONER BY THE RESPONDENTS.

K.S.Radhakrishnan
&
Antony Dominic, JJ.
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W.P.(C).No.16785 of 2007
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Dated this the 1st day of June, 2007.

JUDGMENT

Radhakrishnan,J.

This Writ Petition is filed against Ext.P4 order of the Tribunal refusing the request of the petitioner for transfer. In Ext.P4 the Tribunal has elaborately considered the various points urged by the petitioner. By Ext.P1, the petitioner was allowed to submit option. The Tribunal found no reason to give further opportunity to exercise option in the absence of vacant post to which the petitioner had opted. In such circumstances, there is no illegality in the view expressed by the Tribunal.

Accordingly, this Writ Petition is dismissed.

K.S.Radhakrishnan,
Judge.

Antony Dominic,
Judge.

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